IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WA.No. 499 OF 2007(E)

AGAINST THE JUDGEMENT IN WPC.18178/2006 DATED 14/08/2006

APPELLANT: PETITIONER

SALIKUMAR.S.,AGED 36 YEARS,
S/O SIVARAJ, RESIDING AT B.S.BHAVAN,
KARIODE P.O., TRIVANDRUM.

BY ADV. SRI.R.S.KALKURA

RESPONDENTS: RESPONDENT
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1. KERALA PUBLIC SERVICE COMMISSION,
PATTOM PALACE P.O., TRIVANDRUM,
REPRESENTED BY ITS SECRETARY.

2. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, HEALTH DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

GOVT. PLEADER SRI. BENNY GERVASIS.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 1/03/2007, THE COURT ON 14.3.2007, DELIVERED THE FOLLOWING:

P.R. RAMAN & ANTONY DOMINIC, JJ.

W.A. NO. 499 OF 2007

DATED THIS, THE 14TH DAY OF MARCH, 2007.

J U D G M E N T

Raman, J.

Appellant is the petitioner in W.P.(C) 18178/2006. He was an applicant for the post of Theatre Mechanic in the Health Department of the State of Kerala. Applications for the said post was invited as per Ext.P1. The qualification prescribed for the post are that (i) the applicant should have passed 7th class or equivalent examination and (ii) that the applicant should have two years experience in handling theatre equipments. Appellant, in order to prove his experience, produced the certificate Ext.P2, which reads as follows:

> "This is to certify that the above mentioned person has been working in this institution as a SERVICE TECHNICIAN FOR HOSPITAL EQUIPMENTS, regular worker on Rs. 100/- per day for a period of four years and ten months days from 2001 March 20th onwards."

2. According to the appellant, the certificate as produced by him will show that he has necessary experience in handling hospital equipments which necessarily includes handling of theatre equipments as well. We cannot agree. Since what was notified was a post for theatre mechanic, the experience generally in hospital equipments, unless it is specifically shown as including experience of handling theatre equipments, it cannot be said that the certificate so issued could be understood as includes experience in theatre equipments as well. At any rate, the certificate issued in that regard is not clear. The Public Service Commission, in such circumstances, thought that the certificate so issued does not conform to the qualification prescribed in the notification. The learned Single Judge held that since two views are possible, the view taken by the P.S.C. being a plausible one, does not call for any interference. As per Ext.P5 order dated 21.4.2006 the application was rejected as not acceptable. There is no specific prayer seeking to quash Ext.P5 order but only prays for a direction to consider his representation submitted as per Ext.P6 as against Ext.P5. Learned counsel appearing for the Public Service Commission submits that the last date is already over and the Commission would have already finalized the further

proceedings.

In the factual situation as noticed above, we do not find any error of law in the judgment impugned in this appeal, calling for any interference in this appeal.

The writ appeal fails. Accordingly, it is dismissed.

P.R. RAMAN,
(JUDGE)

ANTONY DOMINIC,
(JUDGE)

knc/-